

**Pt. 222, App. G**

**49 CFR Ch. II (10–1–12 Edition)**

2. What kind of signing or pavement markings are in place at the pedestrian crossing?
3. What is the volume, speed, and type of train traffic over the crossing?
4. Do approaching trains sound the horn at the pedestrian crossing?  
State or local law requires it?  
Railroad safety rule requires it?
5. Are there any crossings where train horns sound that might also provide some warning if train horns were not sounded at the pedestrian crossing?
6. What are the approach sight distances?
7. What is the clearing sight distance for all approaches?

**APPENDIX G TO PART 222—EXCESS RISK ESTIMATES FOR PUBLIC HIGHWAY-RAIL GRADE CROSSINGS**

**BAN EFFECTS/TRAIN HORN EFFECTIVENESS**  
[Summary table]

Warning type	Excess risk estimate
<b>Nation (Except Florida East Coast Railway and Chicago Region Crossings)</b>	
Passive .....	74.9.
Flashers only .....	30.9.

**BAN EFFECTS/TRAIN HORN EFFECTIVENESS—Continued**  
[Summary table]

Warning type	Excess risk estimate
Flashers with gates .....	66.8.
<b>Florida East Coast Railway Crossings</b>	
Flashers with gates .....	90.9.
<b>Chicago Region Crossings</b>	
Passive .....	To be determined.
Flashers only .....	To be determined.
Flashers with gates .....	To be determined.

NOTE ONE: The warning type column reflects primary warning device types. FRA is aware that a variety of arrangements are in place at individual crossings.

NOTE TWO: The “excess risk estimate” is a figure that represents the amount by which collision frequency has been estimated to increase when routine locomotive horn sounding is restricted at public highway-rail grade crossings.

[74 FR 46394, Sept. 9, 2009]

**APPENDIX H TO PART 222—SCHEDULE OF CIVIL PENALTIES<sup>1</sup>**

Section	Violation	Willful violation
<b>Subpart B—Use of Locomotive Horns</b>		
§ 222.21 Use of locomotive horn		
(a) Failure to sound horn at grade crossing .....	\$5,000	\$7,500
Failure to sound horn in proper pattern .....	1,000	3,000
(b) Failure to sound horn at least 15 seconds and less than ¼-mile before crossing .....	5,000	7,500
Sounding the locomotive horn more than 25 seconds before crossing .....	1,000	2,000
Sounding the locomotive horn more than ¼-mile in advance of crossing .....	1,000	2,000
§ 222.33 Failure to sound horn when conditions of § 222.33 are not met	5,000	7,500
§ 222.45 Routine sounding of the locomotive horn at quiet zone crossing	5,000	7,500
§ 222.49 (b) Failure to provide Grade Crossing Inventory Form information	2,500	5,000
§ 222.59 (d) Routine sounding of the locomotive horn at a grade crossing equipped with wayside horn	5,000	7,500

<sup>1</sup> A penalty may be assessed against an individual only for a willful violation. The Administrator reserves the right to assess a penalty of up to \$105,000 for any violation where circumstances warrant. See 49 CFR part 209, appendix A.

[71 FR 47634, Aug. 17, 2006, as amended at 73 FR 79702, Dec. 30, 2008. Redesignated at 74 FR 46394, Sept. 9, 2009; 77 FR 24420, Apr. 24, 2012]

**PART 223—SAFETY GLAZING STANDARDS—LOCOMOTIVES, PASSENGER CARS AND CABOOSSES**

**Subpart A—General**

- Sec.
- 223.1 Scope.
- 223.3 Application.
- 223.5 Definitions.

223.7 Responsibility.

**Subpart B—Specific Requirements**

- 223.8 Additional requirements for passenger equipment.
- 223.9 Requirements for new or rebuilt equipment.
- 223.11 Requirements for existing locomotives.
- 223.13 Requirements for existing cabooses.
- 223.15 Requirements for existing passenger cars.